

Part 2

Board of Examiners

63G-9-201 Members -- Functions.

- (1) As used in this chapter:
 - (a) "Political subdivision" means any county, city, town, school district, community reinvestment agency, special improvement or taxing district, local district, special service district, an entity created by an interlocal agreement adopted under Title 11, Chapter 13, Interlocal Cooperation Act, or other governmental subdivision or public corporation.
 - (b) "State" means the state of Utah, and includes each office, department, division, agency, authority, commission, board, institution, college, university, Children's Justice Center, or other instrumentality of the state.
- (2) The governor, the state auditor, and the attorney general shall constitute a Board of Examiners, with power to examine all claims against the state or a political subdivision, for the payment of which funds appropriated by the Legislature or derived from any other source are not available.
- (3) No claim against the state or a political subdivision, for the payment of which specifically designated funds are required to be appropriated by the Legislature shall be passed upon by the Legislature without having been considered and acted upon by the Board of Examiners.
- (4) The governor shall be the president, and the state auditor shall be the secretary of the board, and in the absence of either an officer pro tempore may be elected from among the members of the board.

Amended by Chapter 350, 2016 General Session

63G-9-202 Procedures -- Adjudicative proceedings.

The Board of Examiners shall comply with the procedures and requirements of Title 63G, Chapter 4, Administrative Procedures Act, in its adjudicative proceedings.

Renumbered and Amended by Chapter 382, 2008 General Session

63G-9-203 Meetings.

The meetings of the board shall be held upon the call of the president or any two members.

Renumbered and Amended by Chapter 382, 2008 General Session

63G-9-204 Record of proceedings.

The board must keep a record of all its proceedings, and any member may cause the member's dissent to the action of a majority upon any matter to be entered upon such record. An abstract of all claims must be entered upon the minutes of the board before the same are acted upon.

Renumbered and Amended by Chapter 382, 2008 General Session

63G-9-205 Rules and regulations.

The board may, in writing, establish rules and regulations not inconsistent with law for its government.

Renumbered and Amended by Chapter 382, 2008 General Session

63G-9-206 Witnesses -- Subpoena -- Examination -- Fees.

The president of the board may issue subpoenas and compel the attendance of witnesses and the production of books and papers before the board or any member thereof; and any member of the board may administer oaths and may examine witnesses. Whenever a witness is subpoenaed before the board to testify against any claim pending before it, the board may allow a reasonable fee to such witness for attendance, which fee must not exceed the fees allowed by law to witnesses in civil cases, and must be paid out of the appropriation for the contingent expenses of the board; provided, that in no instance shall a fee be allowed to a witness who has appeared in behalf of a claimant.

Renumbered and Amended by Chapter 382, 2008 General Session

63G-9-207 Depositions.

Each member of the board may take depositions to be used before it.

Renumbered and Amended by Chapter 382, 2008 General Session